

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

WAVERLY LICENSING LLC.

Plaintiff,

v.

POWER INTEGRATIONS, INC.,

Defendant.

§
§
§
§
§
§
§
§
§

6:22-CV-1144-RP

ORDER

On February 21, 2022, Plaintiff Waverly Licensing LLC filed a Notice of Filing of Covenant Not to Sue. (Dkt. 17). In the covenant, Plaintiff represents that that it extinguishes any case or controversy between it and Defendant Power Integrations, Inc. concerning United States Patent No. 10,938,246. (Dkt. 17-1, at 1).

The Court construes Plaintiff's filing and covenant as a Notice of Voluntary Dismissal pursuant to Rule 41(a)(1)(A)(i). Rule 41(a)(1)(A)(i) allows a plaintiff to voluntarily dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). Defendant Power Integrations, Inc. has not served an answer or motion for summary judgment. Plaintiff's notice is therefore "self-effectuating and terminates the case in and of itself; no order or other action of the district court is required." *In re Amerijet Int'l, Inc.*, 785 F.3d 967, 973 (5th Cir. 2015), *as revised* (May 15, 2015).

Accordingly, as nothing remains to resolve, **IT IS ORDERED** that this case is **CLOSED**.

IT IS FURTHER ORDERED that each party bear their own fees.

SIGNED on February 24, 2023.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE